

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
02-20705
Case No.

18 U.S.C. § 2422(b)
18 U.S.C. § 1470
18 U.S.C. § 2253
18 U.S.C. § 1467

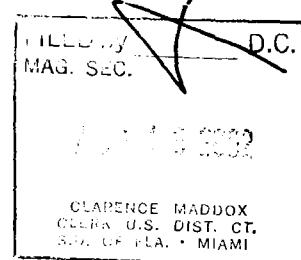
CR-GRAHAM

MAGISTRATE JUDGE
GARBER

UNITED STATES OF AMERICA

v.

MARK OBERMAIER



INDICTMENT

The Grand Jury charges that:

COUNT 1

From on or about June 13, 2002 through on or about June 14, 2002, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

MARK OBERMAIER,

did knowingly and intentionally by means of a facility of interstate commerce, that is, by computer via the Internet and by a telephone, attempt to persuade, induce, entice, and coerce a person who has not attained the age of 18 years to engage in a sexual activity for which any person can be charged with a criminal offense; in violation of Title 18, United States Code, Section 2422(b).

COUNT 2

On June 14, 2002, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

MARK OBERMAIER,

[Handwritten signature]

did knowingly and intentionally by means of a facility of interstate commerce, that is, by computer via the Internet, attempt to transfer obscene matter to another individual who has not attained the age of 16 years, knowing that such other individual has not attained the age of 16 years; in violation of Title 18, United States Code, Section 1470.

FORFEITURE

As a result of the foregoing offenses alleged in this Indictment, the United States is entitled to forfeiture of, and the defendant, MARK OBERMAIER shall forfeit to the United States, any and all property, real and personal, used or intended to be used in any manner to commit and to promote the commission of the aforementioned violations, including, but not limited to a Maxtor 20 gigabyte hard drive, serial number B1EYA22E, and a web camera.

All in violation of Title 18, United States Code, Sections 1467 and 2253.

A TRUE BILL

William deJesus
FOREPERSON

GUY A. LEWIS
UNITED STATES ATTORNEY

DAVID A. GARDEY
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

03-20705 CR-GRAHAM

v.

CERTIFICATE OF TRIAL ATTORNEY*

MAGISTRATE JUDGE
GARBER

MARK OBERMAIER

Court Division: (Select One)

Miami Key West
 FTL WPB FTP

Superseding Case Information:

New Defendant(s) Yes No
 Number of New Defendants
 Total number of counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) No
 List language and/or dialect

FILED by D.C.
 MAG. SEC.

AUG 16 2002

4. This case will take 3 days for the parties to try.

5. Please check appropriate category and type of offense listed below:
 (Check only one) (Check only one)

CLARENCE MADDOX
CLERK U.S. DIST. CT.
MIAMI

I	0 to 5 days	<input checked="" type="checkbox"/>	Petty	<input type="checkbox"/>
II	6 to 10 days	<input type="checkbox"/>	Minor	<input type="checkbox"/>
III	11 to 20 days	<input type="checkbox"/>	Misdem.	<input type="checkbox"/>
IV	21 to 60 days	<input type="checkbox"/>	Felony	<input checked="" type="checkbox"/>
V	61 days and over	<input type="checkbox"/>		

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes:

Judge: _____ Case No. _____
 (Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes:

Magistrate Case No. _____

Related Miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

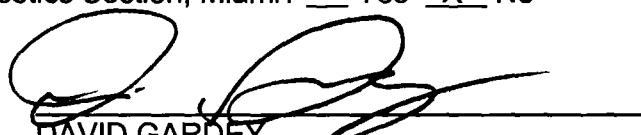
Defendant(s) in state custody as of _____

Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? Yes No If yes, was it pending in the Central Region? Yes No

8. Did this case originate in the Narcotics Section, Miami? Yes No



DAVID GARBER
ASSISTANT UNITED STATES ATTORNEY
Court Assigned No. A5500546

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

MARK OBERMAIER

02-20705 CR-GRAHAM

Defendant's Name: _____
Count #: 1

No.: _____

Using the internet to entice or persuade a minor to engage in illegal sex

MAGISTRATE JUDGE

GARBER

In violation of 18 USC § 2422(b)

*Max. Penalty: 15 Years Imprisonment

Count #: 2

Using the internet to transfer obscene material to a person under the age of sixteen

In violation of 18 USC § 1470

*Max Penalty: 10 Years Imprisonment

Count #: _____

FILED BY	MAG. SEC.	D.C.
APR 10 2002		
CLARENCE MADDOX CLERK U.S. DIST. CT. S.D. OF FLA. MIAMI		

*Max. Penalty:

Count #: _____

*Max. Penalty:

Count #: _____

*Max. Penalty:

Count #: _____

*Max. Penalty:

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

